

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 11/25/2019

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ROBERT DEREK LURCH, JR.,

Plaintiff,

- against -

THE CITY OF NEW YORK; OFFICER OR
EMPLOYEE 1 (*whose duty is to request custody
of people with warrants upstate*),

Defendants.
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ORDER

19-CV-4350 (PAE) (JLC)

JAMES L. COTT, United States Magistrate Judge.

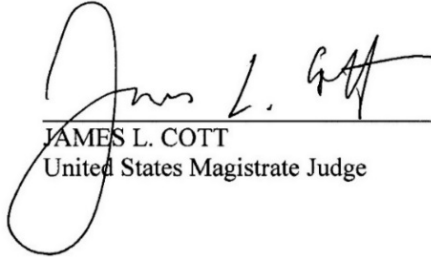
By Order dated September 13, 2019 (Dkt. No. 16), the Law Department had 45 days after receiving Plaintiff's more definite statement to fully comply with the Court's *Valentin* Order (Dkt. No. 7) directing it to "ascertain the identity and badge number of each John Doe whom Plaintiff seeks to sue here, and the address where each defendant may be served." By letters dated August 30 and September 17 (Dkt. Nos. 17, 19), Plaintiff stated that the City of New York and the New York State Department of Corrections and Community Supervision ("NYSDOCCS") are the only ones in possession of the information that the Law Department is requesting. According to Plaintiff, "[i]t is common sense that if an inmate is in state custody and transferred into the custody of 'the City of New York,' this inmate would only interact with the transportation officers and not the official that issued the warrant or mistakenly informed the state officials that the plaintiff had a warrant." Dkt. No. 19 at 1.

Based on these letters and Plaintiff's description of the John Doe in his initial complaint (Dkt. No. 2), it appears that Plaintiff is seeking to ascertain the identity of the official who made the decision that Plaintiff must be transferred to Rikers Island on the misdemeanor, rather than

the individual he interacted with in person there. Accordingly, the Law Department is directed to ascertain the identity of said official(s), and the address where each defendant may be served, and provide this information to Plaintiff and the Court within 45 days of the date of this Order.

SO ORDERED.

Dated: November 25, 2019
New York, New York



JAMES L. COTT
United States Magistrate Judge

A copy of this Order has been mailed to the following:

Robert Derek Lurch, Jr.
P.O. Box 540807
Bronx, NY 10454